

RESOLUTION NO. 2002-213

A RESOLUTION OF THE LODI CITY COUNCIL REJECTING
THE TWO APPARENT LOWEST BIDS AS NON-RESPONSIVE,
AND AWARDING THE BID FOR THE PURCHASE OF
21,000 FEET OF #2 JACKETED 15kV UNDERGROUND
CONDUCTOR TO THE LOWEST RESPONSIBLE BIDDER

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on October 16, 2002 at 11:00 a.m., for the purchase of 21,000 feet of #2 jacketed 15kV underground conductor, described in the specifications therefore approved by the City Council on September 18, 2002; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

| <u>Bidder</u> | <u>Bid Amount</u> |
|--|-------------------|
| Western States Electric, Portland, OR | \$16,088.16 |
| Hendrix Wire & Cable, Milford, NH | \$16,563.33 |
| Rome Cable Corporation, Rome, NY | \$18,398.42 |
| Southwire Company, Carrollton, GA | \$22,627.50 |
| Nexans Energy USA, Warrenton, VA | \$15,341.45* |
| Pirelli Cables and Systems, Columbia, SC | \$15,726.11* |

*Bids considered non-responsive - Nexans' bid is considered non-responsive because its proposal was conditional on the City accepting terms of sale which are not in the City's best interest. Risk of damage or loss in transit to Lodi was to be assumed by the City, and cost of return of defective conductor to Nexans would be borne by the City under Nexans' terms of sale. Pirelli's bid is considered non-responsive because its method of packaging does not comply with the Department's specifications. Packaging is critical to the Department's safety in handling and reduction of waste, and the specifications are clear on the type of packaging that the Department requires.

WHEREAS, staff recommends rejecting the two apparent lowest bids from Nexans Energy USA, of Warrenton, VA, and Pirelli Cables and Systems, of Columbia, SC, as being non-responsive as explained above; and

WHEREAS, staff further recommends award of the bid for the purchase of the conductor be made to the lowest responsible bidder, Western States Electric, of Portland, OR, in the total amount of \$16,088.15.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the apparent low bids received from Nexans Energy USA, of Warrenton, VA, and Pirelli Cables and Systems, of Columbia, SC, for the purchase of 21,000 feet of #2 jacketed 15kV underground conductor in the amount of \$15,341.45 and \$15,726.11 respectively is hereby rejected due to the explanation above; and

BE IT FURTHER RESOLVED by the Lodi City Council that the award of the bid for the purchase of conductor be made to the lowest responsible bidder, Western States Electric, of Portland, OR, in the total amount of \$16,088.15.

Dated: November 6, 2002

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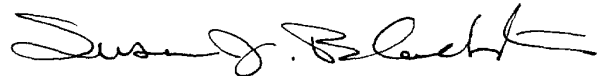
I hereby certify that Resolution No. 2002-213 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 6, 2002, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Nakanishi

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk